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### CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

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- 1. Transmittal Form
- 2. Response to 6/6/2006 Office Action

Dated: 9/10/010.

By

Lori Paulus

Telephone No. (509) 624-4276 Facsimile No. (509) 838-3424

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PTO/SB/21 (07-06)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Art of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/774.146 Filing Date February 6, 2004 TRANSMITTAL First Named Inventor Kerry Dale Steele FORM Art Unit Examiner Name Sheila B. Smith (to be used for all correspondence after initial filing) Attorney Docket Number BA4-215 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmillal Form Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) 1 Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Endosure(s) (please Identify Terminal Disclaimer Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Remarks Certified Copy of Priority Document(s) Customer No. 021567 NO FEE REQUIRED. Reply to Missing Parts/ However, should it be determined that a fee is due and owing, please charge such fee for any Incomplete Application item(s) checked above, to Deposit Account No. 23-0925. Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Wells St. John P.S. Signature Printed name James D. Shaurette Reg. No. 39.833 Date 06 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class meil in an envelope addressed to: Commissioner for Patente, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, U.S. Department of Commiscope, P.O. Box 1450, Alexandria, VA 22313-1450. CO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Lori D. Paulus

Typed or printed name

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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. ......10/774,146 Confirmation No. ......8437 Filing Date ...... February 6, 2004 Inventor......Kerry D. Steele et al. Assignee ......Battelle Memorial Institute Group Art Unit......2681 Examiner ...... Sheila B. Smith Attorney's Docket No. ..... E-1672 (BA4-215) Customer No. ......021567 Title: Communications Device Identification Methods, Communications Methods, Wireless Communications Readers, Wireless Communications Systems, And Articles Of Manufacture

### **RESPONSE TO JUNE 6, 2006 OFFICE ACTION**

To:

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

From:

James D. Shaurette (Tel. 509-624-4276; Fax 509-838-3424)

Wells, St. John, P.S.

601 W. First Avenue, Suite 1300 Spokane, WA 99201-3828

Sir:

This is a response to the Office Action dated June 6, 2006, Applicants amend and remark as follows:

#### **AMENDMENTS**